

[counsel listed on following page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZOYA KOVALENKO,

Plaintiff,

v.

KIRKLAND & ELLIS LLP, MICHAEL DE
VRIES, MICHAEL W. DE VRIES, P.C.,
ADAM ALPER, ADAM R. ALPER, P.C.,
AKSHAY DEORAS, AKSHAY S. DEORAS,
P.C., AND MARK FAHEY,

Defendants.

Case No. 4:22-CV-05990-HSG

**STIPULATION AND ~~PROPOSED~~
ORDER TO SPECIALLY SET
BRIEFING SCHEDULE ON MOTION
TO QUASH [DKT. 113] AND RESET
HEARING DATE**

[N.D. CAL. CIV. L.R. 6-2]

STIPULATION TO SPECIALLY SET
BRIEFING SCHEDULE ON MOTION TO
QUASH AND RESET HEARING DATE
[4:22-CV-05990-HSG]

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1 Defendant Kirkland & Ellis LLP (“K&E”) and Plaintiff Zoya Kovalenko (“Plaintiff”)
 2 (Plaintiff and Defendant collectively, the “Parties”), hereby stipulate as follows:

3 WHEREAS, Defendants served non-parties Fish & Richardson PC (“Fish”) and Paul
 4 Hastings LLP (“Paul Hastings”), Plaintiff’s former employers, on July 13, 2023, with subpoenas to
 5 produce documents related to Plaintiff’s employment;

6 WHEREAS, Plaintiff objected to the subpoenas, and on July 25, 2023, the Parties submitted
 7 a Discovery Letter Brief (Dkt. 83), to the Court detailing their respective positions;

8 WHEREAS, on July 27, 2023, the Parties had a discovery hearing before Magistrate Judge
 9 Hixson, during which Plaintiff, Ms. Kovalenko, stated that she intends to move for a protective
 10 order and to quash the subpoenas and that she has retained counsel and needs more time to be
 11 prepared. Minute Entry for Proceedings Held Before Judge Thomas S. Hixson (July 28, 2023)
 12 (Dkt. 91); Disc. Order (July 27, 2023) (Dkt. 88). As a result, the Court stayed the subpoenas pending
 13 further order of the Court and ordered K&E to serve the order on Paul Hastings and Fish and to file
 14 proofs of service showing that it had done so. Disc. Order (July 27, 2023) (Dkt. 91).

15 WHEREAS, on October 3, 2023, the Court held a telephonic initial case management
 16 conference, Minute Entry for Proceedings Held Before Judge Haywood S. Gilliam, Jr. (Oct. 4,
 17 2023) (Dkt. 99), during which Plaintiff informed the Court that Plaintiff and her counsel were still
 18 trying to engage local counsel so Plaintiff’s counsel could apply for pro hac vice admission in order
 19 to appear on Plaintiff’s behalf.

20 WHEREAS, on November 8 and 9, 2023 and December 19, 2023, Plaintiff’s counsel
 21 entered their appearances in the case;

22 WHEREAS, Plaintiff filed her Motion to Quash Defendant K&E’s Subpoenas and for
 23 Protective Order (Dkt. 113) on December 20, 2023;

24 WHEREAS, K&E’s current deadline to respond to the Motion to Quash Defendant K&E’s
 25 Subpoenas and for Protective Order (Dkt. 113) is January 3, 2024, and Plaintiff’s reply deadline
 26 is January 10, 2024;

27 WHEREAS, K&E states more time is necessary to respond to the Motion to Quash
 28

1 Defendant K&E's Subpoenas and for Protective Order in light of the holidays and travel schedules;

2 WHEREAS, the Parties agree to continue K&E's response deadline from January 3 to
3 January 12, 2024, and Plaintiff's reply deadline from January 10 to January 29, 2024;

4 WHEREAS, K&E's counsel states it is not available for a hearing on February 1, 2024,
5 and the Parties thus agree to continue the hearing to February 8, 2024.

6 WHEREAS, the previous time modifications in this case are as follows:

- 7 • A stipulation to specially set the briefing schedule on nine of Defendants' motions filed
8 in response to Plaintiff's Complaint was filed on December 20, 2022 (Dkt. 43) and
9 granted on December 21, 2022 (Dkt. 44).
- 10 • A stipulation to extend deadlines to comply with initial discovery obligations pursuant
11 to General Order No. 71 and to set the briefing schedule for K&E's Anti-SLAPP
12 Motion was filed on January 9, 2023 (Dkt. 59) and granted on January 10, 2023 (Dkt.
13 61).
- 14 • A stipulation under Civil Local Rule 6-1(a) to extend time for Plaintiff to
15 object/respond to K&E's first sets of interrogatories and requests for production from
16 September 7, 2023 to October 9, 2023 was filed on August 30, 2023 (Dkt. 93).
- 17 • A stipulation under Civil Local Rule 6-2 to extend time for Defendants to answer
18 Plaintiff's First Amended Complaint was filed on September 26, 2023 (Dkt. 95) and
19 granted on September 27, 2023 (Dkt. 96).
- 20 • A stipulation under Civil Local Rule 6-1(a) to extend time for Plaintiff to
21 object/respond to K&E's first sets of interrogatories and requests for production from
22 October 9, 2023 to November 8, 2023 was filed on October 6, 2023 (Dkt. 100).
- 23 • A stipulation under Civil Local Rules 6-1(b) and 6-2 to extend time regarding
24 Defendants' Motion to Dismiss Plaintiff's FAC was filed on October 27, 2023 (Dkt.
25 104) and granted on October 30, 2023 (Dkt. 106).

26 WHEREAS, the brief extension of time requested here would have no effect on the schedule
27 for this case as no case schedule has yet been entered.

1 IT IS HEREBY STIPULATED by the Parties that the deadline for Defendants to file a
2 response to Plaintiff's Motion to Quash Defendant K&E's Subpoenas and for Protective Order
3 (Dkt. 113) is January 12, 2024, Plaintiff's Reply deadline is January 29, 2024, and the hearing on
4 the Motion to Quash Defendant K&E's Subpoenas and for Protective Order is reset for February
5 15
8, 2024.

6 Respectfully submitted,

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8 Dated: December 27, 2023

KATE E. JUVINALL
Orrick, Herrington & Sutcliffe LLP

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10 By: /s/ Kate E. Juvinal
KATE E. JUVINALL
Attorneys for Defendants

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12
13 Dated: December 27, 2023


TANVIR H. RAHMAN
Filippatos PLLC

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15
16 By: /s/ Tanvir H. Rahman
TANVIR H. RAHMAN
(Admitted *pro hac vice*)
Attorneys for Plaintiff

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22 ~~PROPOSED~~ ORDER

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24
25 DATED:

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Thomas S. Hixson
United States Magistrate Judge

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